COLORADO
Department of Public
Health & Environment

Dedicated to protecting and improving the health and environment of the people of Colorado

June 22, 2015

Bill Barrett Corporation
c/o Corporation Service Company
1560 Broadway Ste 2090
Denver, CO 80202

Certified Mail Number: 7005 1820 0000 3207 8173

RE: Service of Notice of Violation/Cease and Desist Order, Number: SO-150619-1

To Whom It May Concern:

Bill Barrett Corporation is hereby served with the enclosed Notice of Violation / Cease and Desist Order (the "NOV/CDO"). The NOV/CDO is issued by the Colorado Department of Public Health and Environment's Water Quality Control Division (the "Division") pursuant to the authority given to the Division by §§25-8-602 and 25-8-605, C.R.S., of the *Colorado Water Quality Control Act*, (the "Act"). The Division bases the NOV/CDO upon findings that Bill Barrett Corporation has violated the Act and/or permit or control regulations promulgated pursuant to the Act, as described in the enclosed NOV/CDO.

Pursuant to §25-8-603, C.R.S., Bill Barrett Corporation is required, within thirty (30) calendar days of receipt of this NOV/CDO, to submit to the Division an answer admitting or denying each paragraph of the Findings of Fact and responding to the Notice of Violation.

This action could result in the imposition of civil penalties. The Division is authorized pursuant to §25-8-608, C.R.S., to impose a penalty of $10,000 per day for each day during which such violation occurs.

Please be advised that the Division is continuing its investigation into this matter and the Division may identify supplementary violations that warrant amendments to this NOV/CDO or the issuance of additional enforcement actions.

Should you or representatives of Bill Barrett Corporation desire to discuss this matter informally with the Division, or if you have any questions regarding the NOV/CDO, please do not hesitate to contact me by phone at (303) 692-2312 or by electronic mail at eric.mink@state.co.us.

Sincerely,

Eric T. Mink, Enforcement Specialist
Clean Water Enforcement Unit
WATER QUALITY CONTROL DIVISION

Enclosure(s)

cc: Enforcement File

ec: Natasha Davis, EPA Region VIII
Trevor Jiricek, Weld County Public Health & Environment
Nicole Rowan, Watershed Section, CDPHE
Michael Beck, Grants and Loans Unit, CDPHE
Doug Camrud, Engineering Section, CDPHE
Kelly Jacques, Field Services Section, CDPHE
Lillian Gonzalez, Permits Section, CDPHE
Mike Harris, Clean Water Enforcement Unit, CDPHE
Tania Watson, Compliance Assurance, CDPHE
Nathan Moore, Clean Water Compliance Unit, CDPHE
Matt Lepore, COGCC
Kent Kuster, CDPHE

COLORADO

Department of Public Health & Environment

WATER QUALITY CONTROL DIVISION

NOTICE OF VIOLATION / CEASE AND DESIST ORDER **NUMBER: SO-150619-1**

IN THE MATTER OF: **BILL BARRETT CORPORATION**
CDPS PERMIT NO. COR-030000
CERTIFICATION NO. COR-031877
WELD COUNTY, COLORADO

Pursuant to the authority vested in the Colorado Department of Public Health and Environment's (the "Department") Division of Administration by §§25-1-109 and 25-8-302, C.R.S., which authority is implemented through the Department's Water Quality Control Division (the "Division"), and pursuant to §§25-8-602 and 25-8-605, C.R.S., the Division hereby makes the following Findings of Fact and issues the following Notice of Violation / Cease and Desist Order:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Bill Barrett Corporation ("Bill Barrett Corp") is a Delaware corporation in good standing and registered to conduct business in the State of Colorado.

2. Bill Barrett Corp is a "person" as defined under the Water Quality Control Act, §25-8-103(13), C.R.S. and its implementing permit regulation, 5 CCR 1002-61, §61.2(73).

3. Bill Barrett Corp initiated construction at the DJ Basin Colorado Project with a total project area of approximately 60,000 acres and a planned disturbance area of approximately 500 acres of land at approximately 40°16'29" N and 104°38'06" W, in Weld County, Colorado (the "Project").

4. Construction activities at the Project include ground disturbing activities associated with the exploration and/or production of oil and gas.

5. On March 28, 2012, the Division received an application from Bill Barrett Corp for Project coverage under the Colorado Discharge Permit System ("CDPS") General Permit, Number COR-030000, for Stormwater Discharges Associated with Construction Activity (the "Permit").

6. On April 3, 2012, the Division provided Bill Barrett Corp with Certification Number COR-031877 authorizing Bill Barrett Corp to discharge stormwater from the construction activities associated with the Project to various waters of the State of Colorado, including the South Platte River, under the terms and conditions of the Permit. Certification Number COR-031877 became effective April 3, 2012 and was set to expire on June 30, 2012, but has been administratively continued pending Permit reissuance.

7. The South Platte River, Riverside Reservoir and other various waters of the State of Colorado are "state waters" as defined by §25-8-103(19), C.R.S. and its implementing permit regulation, 5 CCR 1002-61, §61.2(102).

8. Pursuant to 5 CCR 1002-61, §61.8, Bill Barrett Corp must comply with all the terms and conditions of the Permit, and violations of such terms and conditions may be subject to civil and criminal liability pursuant to §§25-8-601 through 25-8-612, C.R.S.

9. On March 19, 2015, a representative from the Division (the "Inspector") conducted an on-site inspection of the Project pursuant to the Division's authority under §25-8-306, C.R.S., to determine Bill Barrett Corp's compliance with the Water Quality Control Act and the Permit. During the inspection, the Inspector interviewed Project representatives, reviewed the Project's stormwater management system records and performed a physical inspection of the Project. The inspection covered ten (10) well pads within the Project, along with the access roads and pipeline right-of-ways associated with those ten (10) well pads, with a total disturbed aread of approximatedly 92.9 acres. The ten (10) well pads are identified in the table below, along with the dates construction began for each well pad.

Well Pad Name	Date Construction Began
Anschutz Equus Farm 4-62-15_22 NENE	11/28/2014
Anschutz Equus Farm 4-62-15_22 NENW	8/10/2014
Anschutz State 5-62-26_25 SWNW	2/19/2015
Anschutz Equus Farms 4-62-15_22 NWNE	12/7/2014
Anschutz State 5-62-35_36 NWNW	12/19/2014
Anschutz Equus Farms North 4-62-9	4/14/2014
Anschutz Equus Farms NE 4-62-16	8/6/2014
Anschutz O'Brien 5-61-33	10/19/2012
Kunsemiller 5-61-21	11/7/2013
Hawkins 5-61-21	7/30/2013

Deficient and/or Incomplete Stormwater Management Plan

10. Pursuant to Part I.B. of the Permit, Bill Barrett Corp is required to prepare and maintain a Stormwater Management Plan ("SWMP") in accordance with good engineering, hydrologic and pollution control practices. The SWMP is required to identify all potential sources of pollution, which may be reasonably expected to affect the quality of stormwater discharges associated with construction activity from the Project. In addition, the plan is required to describe and ensure the implementation of Best Management Practices ("BMPs") at the Project, which will be used to reduce the pollutants in stormwater discharges associated with construction activity.

11. Pursuant to Part I.C. of the Permit, the Project's SWMP shall include, at a minimum, the following items:

    a. Site Description - The SWMP shall clearly describe the construction activity, including:

        i. The nature of the construction activity.
        ii. The proposed sequence for major activities.
        iii. Estimates of the total area of the site and the area of the site that is expected to undergo clearing, excavation or grading.
        iv. A summary of any existing data used in the development of the construction plans or SWMP that describe the soil or existing potential for soil erosion.

v. A description of the existing vegetation at the site and an estimate of the percent vegetative ground cover.
vi. The location and description of all potential pollution sources, including ground surface disturbance, vehicle fueling, storage of fertilizers or chemicals, etc.
vii. The location and description of any allowable sources of non-stormwater discharge, such as springs, landscape irrigation return flow, construction dewatering and concrete washout.
viii. The name of the receiving water(s) and the size, type and location of any outfall or, if the discharge is to a municipal separate storm sewer, the name of that system, the location of the storm sewer discharge, and the ultimate receiving water(s).

b. Site Map - The SWMP shall include a legible site map(s), showing the entire site, identifying:

i. Construction site boundaries.
ii. All areas of ground surface disturbance.
iii. Areas of cut and fill.
iv. Areas used for storage of building materials, equipment, soil or waste.
v. Locations of dedicated asphalt or concrete batch plants.
vi. Locations of all structural BMPs.
vii. Locations of all non-structural BMPs.
viii. Locations of springs, streams, wetlands and other surface waters.

c. Stormwater Management Controls - The SWMP must include a description of all stormwater management controls that will be implemented as part of the construction activity to control pollutants in stormwater discharges, including:

i. SWMP Administrator - The SWMP shall identify a specific individual(s), position or title that is responsible for developing, implementing, maintaining and revising the SWMP.
ii. Identification of Potential Pollutant Sources - The SWMP shall identify and describe those sources determined to have the potential to contribute pollutants to stormwater discharges.
iii. BMPs for Stormwater Pollution Prevention - The SWMP shall identify and describe appropriate BMPs that will be implemented at the facility to reduce the potential of pollution sources to contribute pollutants to stormwater discharges. The SWMP shall clearly describe the installation and implementation specifications for each BMP identified in the SWMP.

(1) Structural Practices for Erosion and Sediment Control - The SWMP shall clearly describe and locate all structural practices implemented at the site to minimize erosion and sediment transport. Practices may include, but are not limited to: straw bales, wattles/sediment control logs, silt fences, earth dikes, drainage swales, sediment traps, subsurface drains, pipe slope drains, inlet protection, outlet protection, gabions and temporary or permanent sediment basins.
(2) Non-Structural Practices for Erosion and Sediment Control - The SWMP shall clearly describe and locate all non-structural practices implemented at the site to minimize erosion and sediment transport. Description must include interim and permanent stabilization practices, and site-specific scheduling for implementation of the practices. Non-structural practices may include, but

are not limited to: temporary vegetation, permanent vegetation, mulching, geotextiles, sod stabilization, slope roughening, vegetative buffer strips, protection of trees and preservation of mature vegetation.

(3) Phased BMP Implementation - The SWMP shall clearly describe the relationship between the phases of construction and the implementation and maintenance of BMPs. The SWMP must identify the stormwater management controls to be implemented during the project phases, which can include, but are not limited to, clearing and grubbing, road construction, utility and infrastructure installation, vertical construction, final grading and final stabilization.

(4) Materials Handling and Spill Prevention - The SWMP shall clearly describe and locate all practices implemented at the site to minimize impacts from procedures or significant materials that could contribute pollutants to runoff.

(5) Dedicated Concrete or Asphalt Batch Plants - The SWMP shall clearly describe and locate BMPs to control stormwater pollution from dedicated concrete batch plants or dedicated asphalt batch plants.

(6) Vehicle Tracking Control - The SWMP shall clearly describe and locate all practices implemented at the site to control potential sediment discharges from vehicle tracking.

(7) Waste Management and Disposal, Including Concrete Washout - The SWMP shall clearly describe and locate the practices implemented at the site to control stormwater pollution from all construction site wastes, including concrete washout activities.

(8) Groundwater and Stormwater Dewatering - The SWMP shall clearly describe and locate the practices implemented at the site to control stormwater pollution from the dewatering of groundwater or stormwater from excavations, wells, etc.

d. Final Stabilization and Long-Term Stormwater Management - The SWMP shall clearly describe the practices used to achieve final stabilization of all disturbed areas at the site, and any planned practices to control pollutants in stormwater discharges that will occur after construction operations have been completed at the site.

e. Inspection and Maintenance - The SWMP shall clearly describe the inspection and maintenance procedures implemented at the site to maintain all erosion and sediment control practices and other protective practices in good and effective operating condition.

12. During the March 19, 2015 inspection, the Inspector reviewed the Project's SWMP and identified that the SWMP did not clearly identify all items required by Part I.C. of the Permit, as described in Paragraphs 12(a-i) below:

a. The site description section of the SWMP failed to include an acreage estimate of the disturbed area.
b. The site description section of the SWMP failed to identify the existing soil types for each development location.
c. The site description section of the SWMP failed to identify the existing vegetation or the estimated percent of vegetative cover.
d. The SWMP site map failed to identify the area of ground surface disturbance at each location within the Project.
e. The SWMP site map failed to identify the locations of stored materials, equipment, stockpiles or wastes.
f. The SWMP site map failed to identify all the structural control measures being used, including but limited to straw wattles being used as perimeter controls.

g. The SWMP site map failed to identify all the non-structural control measures being used, including but not limited to surface roughening being used on soil stockpiles.
h. The stormwater management controls section of the SWMP failed to describe installation and implementation specification for cattle guards to be used as tracking control devices at the Project.
i. The stormwater management controls section of the SWMP failed to provide a design capacity of ditch and berm control measures used at the Project.

13. The Division has determined that Bill Barrett Corp failed to prepare and maintain a complete and accurate SWMP for the Project.

14. Bill Barrett Corp's failure to prepare and maintain a complete and accurate SWMP for the Project constitutes violation(s) of Part I.B. and Part I.C. of the Permit.

Failure to Perform and/or Document Inspections of Stormwater Management System

15. Pursuant to Part I.D.6.a. of the Permit, for active sites where construction has not been completed, Bill Barrett Corp is required to make a thorough inspection of the Project's stormwater management system at least every 14 calendar days. For sites where construction has been completed but final stabilization has not been achieved, Bill Barret Corp is required to make a thorough inspection of the Project's stormwater management system at least once every month.

16. Pursuant to Part I.D.6.b.2. of the Permit, inspection reports must include a signed statement indicating that corrective action(s) have been taken and the site is in compliance with the Permit.

17. Pursuant to Part I.D.6.c. of the Permit, where site inspections note the need for BMP maintenance, BMPs must be maintained in effective operating condition. Repair, replacement or installation of new BMPs must be maintained in effective operating condition.

18. Pursuant to Part I.D.8. of the Permit, where site inspections note the need for BMP maintenance, the repair, replacement or installation of new BMPs must be addressed as soon as possible, immediately in most cases, to minimize the discharge of pollutants.

19. During the March 19, 2015 inspection, the Inspector reviewed the available inspection records for the Project for the period from September 1, 2014 - March 16, 2015. The Inspector determined that Bill Barrett Corp failed to perform an inspection of the stormwater management system at least once every 14 calendar days for the Project's well pads and timeframes listed in the table below.

Site	Inspection Date	Subsequent Inspection Date	Days Between
Anschutz Equus Farm 4-62-15_22 NENW	1/19/2015	2/3/2015	15
	2/3/2015	2/18/2015	15
	2/18/2015	3/5/2015	15
Anschutz Equus Farms 4-62-15_22 NWNE	1/19/2015	2/3/2015	15
	2/3/2015	2/18/2015	15
	2/18/2015	3/5/2015	15
Anschutz Equus Farms North 4-62-9	1/19/2015	2/3/2015	15
	2/3/2015	2/18/2015	15
	2/18/2015	3/5/2015	15

Site	Inspection Date	Subsequent Inspection Date	Days Between
Anschutz Equus Farm 4-62-15_22 NENE	1/19/2015	2/3/2015	15
	2/3/2015	2/18/2015	15
	2/18/2015	3/5/2015	15
Anschutz Equus Farms NE 4-62-16	1/19/2015	2/3/2015	15
	2/3/2015	2/18/2015	15
	2/18/2015	3/5/2015	15
Anschutz State 5-62-35_36 NWNW	1/19/2015	2/3/2015	15
	2/3/2015	2/18/2015	15
	2/18/2015	3/5/2015	15
Hawkins 5-61-21	9/1/2014	9/16/2014	15
Kunsemiller 5-61-21	9/1/2014	9/18/2014	17

20. During the March 19, 2015 inspection, the Inspector reviewed the available inspection records and determined that Bill Barrett Corp failed to perform monthly inspections for the well pads and timeframes listed in the table below, when construction was completed but final stabilization was not achieved.

Site	Inspection Date	Subsequent Inspection Date	Days Between
Anschutz O'Brien 5-61-33	9/18/2014	11/26/2014	69
	11/26/2014	1/6/2015	41
	1/20/2015	3/3/2015	42
Hawkins 5-61-21	11/26/2014	1/6/2015	41
Kunsemiller 5-61-21	11/26/2014	1/6/2015	41

21. During the March 19, 2015 inspection, the Inspector reviewed the available inspection records and determined that Bill Barret Corp failed to meet the compliance statement requirements by dating compliance signatures prior to the date that the applicable corrective action(s) were completed.

22. During the March 19, 2015 inspection, the Inspector reviewed the available inspection records and determined multiple BMPs throughout the Project were identified as being in need of maintenance or replacement but the inspection records did not identify if the required corrective actions were ever completed. The table below identifies the well pads and timeframes associated with the corrective actions.

Site	Date Corrective Action Identified	Identified Corrective Actions Incomplete as of 3/19/2015
Anschutz Equus Farms 4-62-15_22 NWNE	2/18/2015	
Anschutz Equus Farm 4-62-15_22 NENE	3/5/2015	
Anschutz State 5-62-35_36 NWNW	2/3/2015	
Hawkins 5-61-21	3/3/2015	

23. During the March 19, 2015 inspection, the Inspector reviewed the available inspection records and determined multiple BMPs throughout the Project were identified as being in need of maintenance or replacement but the applicable corrective actions were not completed in accordance with Part I.D.8. of the Permit. The table below identifies the well pads and timeframes associated with the corrective actions.

Site	Date Corrective Action Identified	Date Corrective Action Completed	Days to Completion
Anschutz Equus Farm 4-62-15_22 NENW	1/5/2015	1/14/2015	9
	1/19/2015	1/30/2015	11
Anschutz Equus Farms 4-62-15_22 NWNE	1/14/2015	1/30/2015	16
Anschutz Equus Farms North 4-62-9	10/15/2014	10/20/2014	5
	12/22/2014	3/5/2015	73
	12/22/2014	2/6/2015	46
Anschutz Equus Farm 4-62-15_22 NENE	11/10/2014	1/7/2015	58
Anschutz Equus Farms NE 4-62-16	11/10/2014	12/8/2015	28
	1/19/2015	1/29/2015	10
Anschutz O'Brien 5-61-33	11/26/2014	1/6/2015	41
Anschutz State 5-62-35_36 NWNW	1/14/2015	1/22/2015	17
	2/3/2015	2/7/2015	4
Anschutz State 5-62-26_25 SWNW	3/2/2015	3/17/2015	15
Hawkins 5-61-21	1/20/2015	1/26/2015	6
Kunsemiller 5-61-21	10/2/2014	10/7/2015	5

24. Bill Barrett Corp's failure to properly perform and document inspections of the Project's stormwater management system constitutes violation(s) of Parts I.D.6.a., I.D.6.b.2., I.D.6.c. and I.D.8. of the Permit.

Failure to Install, Maintain, or Properly Select Best Management Practices

25. Pursuant to Part I.C.3.c. of the Permit, Bill Barrett Corp is required to implement BMPs to reduce the potential of pollution sources from contributing pollutants to stormwater discharges, including minimizing erosion and sediment transport from the Project. The Permit specifies that structural site management practices may include, but are not limited to: straw bales, wattles/sediment control logs, silt fences, earth dikes, drainage swales, sediment traps, subsurface drains, pipe slope drains, inlet protection, outlet protection, gabions and temporary or permanent sediment basins. The Permit specifies that non-structural site management practices may include, but are not limited to: temporary vegetation, permanent vegetation, mulching, geotextiles, sod stabilization, slope roughening, vegetative buffer strips, protection of trees and preservation of mature vegetation.

26. Pursuant to Part I.D.2. of the Permit, Bill Barrett Corp is required to select, design, install, implement and maintain appropriate BMPs, following good engineering, hydrologic and pollution control practices. The BMPs implemented at the site must be adequately designed to provide control for all potential pollutant sources associated with construction activity at the Project.

27. Pursuant to Part I.B.3. of the Permit, Bill Barrett Corp is required to implement the provisions of the Project's SWMP as written and updated, from commencement of construction activity until final stabilization is complete.

28. During the March 19, 2015 inspection, the Inspector identified the following deficiencies related to BMP installation and maintenance at the Project, as described in Paragraphs 28(a-pp) below:

    a. The Inspector observed that control measures were not implemented to manage stormwater runoff from chemical waste from the portable toilet located at the Anschutz Equus Farms NE 4-62-16 well pad. The SWMP specified that temporary sanitary facilities be secured to the ground to prevent overturning. However, the portable toilet was not staked

down or secured appropriately. Additional inadequate control measures were implemented down gradient of the portable toilet (see paragraphs 28(g) and 28(m)). Stormwater from this area of the Project flows south to the South Platte River.

b. The Inspector observed that control measures were not implemented to manage stormwater runoff from chemical waste from the portable toilets located at the Anschutz State 5-62-35_36 NWNW well pad. The SWMP specified that temporary sanitary facilities be secured to the ground to prevent overturning. However, the portable toilets were not staked down or secured appropriately. Additional inadequate control measures were implemented down gradient of the portable toilets (see paragraphs 28(o)). Stormwater from this area of the Project flows south and southeast to the South Platte River and the Riverside Reservoir.

c. The Inspector observed inadequate control measures implemented to manage stormwater runoff from chemical waste from portable toilets located at the the Anschutz State 5-62-26_25 SWNW well pad. The SWMP specified that temporary sanitary facilities be checked for leaks. However, the portable toilets were observed to have cleaners and/or fluids running out the back and on to the ground. Additional inadequate control measures were implemented down gradient of the portable toilets (see paragraphs 28(i) and 28(p)). Stormwater from this area of the Project flows south to the South Platte River.

d. The Inspector observed straw wattle perimeter control measures at the Anschutz Equus Farm 4-62-15_22 NENE well pad. The straw wattles were not implemented and maintained according to the SWMP or good pollution control practices. The straw wattle control measures were not properly secured, contained holes or tears, were not properly overlapped and/or contained sediment exceeding greater than half the distance between the top of the wattle and the surface. These deficiencies impaired the ability of the straw wattles to provide an effective mechanism for pollutant removal from the disturbed area. No additional control measures were implemented down gradient of this area. Stormwater from this area of the Project flows southwest to the South Platte River or southeast to an unnamed surface water.

e. The Inspector observed straw wattle perimeter control measures at the Anschutz Equus Farms 4-62-15_22 NWNE well pad. The straw wattles were not implemented and maintained according to the SWMP or good pollution control practices. The straw wattle control measures were not properly secured, contained holes or tears, were not properly overlapped and/or contained sediment exceeding greater than half the distance between the top of the wattle and the surface. These deficiencies impaired the ability of the straw wattles to provide an effective mechanism for pollutant removal from the disturbed area. No additional control measures were implemented down gradient of this area. Stormwater from this area of the Project flows southwest to the South Platte River.

f. The Inspector observed straw wattle perimeter control measures at the Anschutz Equus Farm 4-62-15_22 NENW well pad. The straw wattles were not implemented and maintained according to the SWMP or good pollution control practices. The straw wattle control measures were not properly secured, contained holes or tears, were not properly overlapped and/or contained sediment exceeding greater than half the distance between the top of the wattle and the surface. These deficiencies impaired the ability of the straw wattles to provide an effective mechanism for pollutant removal from the disturbed area. No additional control measures were implemented down gradient of this area. Stormwater from this area of the Project flows south and southwest to the South Platte River.

g. The Inspector observed straw wattle perimeter control measures at the Anschutz Equus Farms NE 4-62-16 well pad. The straw wattles were not implemented and maintained according to the SWMP or good pollution control practices. The straw wattle control measures were not properly secured, were not properly overlapped and/or contained sediment exceeding greater than half the distance between the top of the wattle and the surface. These deficiencies impaired the ability of the straw wattles to provide an effective mechanism for pollutant removal from the disturbed area. No additional control measures were implemented down gradient of this area. Stormwater from this area of the Project flows south to the South Platte River.

h. The Inspector observed straw wattle perimeter control measures at the Anschutz Equus Farms North 4-62-9 well pad. The straw wattles were not implemented and maintained according to the SWMP or good pollution control practices. The straw wattle control measures were not properly secured, contained holes or tears, were not properly overlapped and/or contained sediment exceeding greater than half the distance between the top of the wattle and the surface. These deficiencies impaired the ability of the straw wattles to provide an effective mechanism for pollutant removal from the disturbed area. No additional control measures were implemented down gradient of this area. Stormwater from this area of the Project flows north and northwest to the Riverside Reservoir.

i. The Inspector observed straw wattle perimeter control measures at the Anschutz State 5-62-26_25 SWNW well pad. The straw wattles were not implemented and maintained according to the SWMP or good pollution control practices. The straw wattle control measures were not properly secured and/or contained sediment exceeding greater than half the distance between the top of the wattle and the surface. These deficiencies impaired the ability of the straw wattles to provide an effective mechanism for pollutant removal from the disturbed area. No additional control measures were implemented down gradient of this area. Stormwater from this area of the Project flows south to the South Platte River.

j. The Inspector observed a ditch and berm perimeter control measure inadequately implemented at the Anschutz Equus Farm 4-62-15_22 NENE well pad. The SWMP specified that ditch and berm control measures be compacted, have positive drainage to an outlet and be cleared of sediment. However, the ditch and berm control measure identified for this area was not compacted, did not have positive drainage to an outlet and was not cleared of sediment. Additional inadequate control measures were implemented down gradient of the ditch and berm control measure (see paragraph 28(d)). Stormwater from this area of the Project flows southwest to the South Platte River or southeast to an unnamed surface water.

k. The Inspector observed a berm perimeter control measure inadequately implemented at the Anschutz Equus Farms 4-62-15_22 NWNE well pad. The SWMP specified that berm control measures be compacted and maintained at the original height. However, the berm control measure identified for this area was not compacted and contained a section that was at the same height as the surrounding ground. Additional inadequate control measures were implemented down gradient of the berm control measure (see paragraph 28(e)). Stormwater from this area of the Project flows southwest to the South Platte River.

l. The Inspector observed a berm perimeter control measure inadequately implemented at the Anschutz Equus Farm 4-62-15_22 NENW well pad. The SWMP specified that berm control measures be compacted. However, the berm control measure identified for this area was

not compacted. Additional inadequate control measures were implemented down gradient of the berm control measure (see paragraph 28(f)). Stormwater from this area of the Project flows south and southwest to the South Platte River.

m. The Inspector observed a berm perimeter control measure inadequately implemented at the Anschutz Equus Farms NE 4-62-16 well pad. The SWMP specified that berm control measures be compacted. However, the berm control measure identified for this area was not compacted. Additional inadequate control measures were implemented down gradient of the berm control measure (see paragraph 28(g)). Stormwater from this area of the Project flows south to the South Platte River.

n. The Inspector observed that berm and ditch and berm perimeter control measures inadequately implemented at the Anschutz Equus Farms North 4-62-9 well pad. The SWMP specified that ditch and berm and berm control measures be compacted, have positive drainage to an outlet, maintained at the original height and/or be cleared of sediment. However, the berm and ditch and berm control measures identified for this area were not compacted, were not cleared of sediment, contained sections in need of repair and/or did not convery runoff to sediment trapping control measures. Additional inadequate control measures were implemented down gradient of the berm and ditch and berm control measures (see paragraph 28(h)). Stormwater from this area of the Project flows north and northwest to the Riverside Reservoir.

o. The Inspector observed that berm and ditch and berm perimeter control measures inadequately implemented at the Anschutz State 5-62-35_36 NWNW well pad. The SWMP specified that ditch and berm and berm control measures be compacted, maintained at the original height and/or be cleared of sediment. However, the berm and ditch and berm control measures identified for this area were not compacted, were not cleared of sediment and/or contained sections in need of repair. No additional control measures were implemented down gradient of this area. Stormwater from this area of the Project flows south and southeast to the South Platte River and the Riverside Reservoir.

p. The Inspector observed a ditch and berm perimeter control measure inadequately implemented at the Anschutz State 5-62-26_25 SWNW well pad. The SWMP specified that ditch and berm control measures be compacted, have positive drainage to an outlet and be cleared of sediment. However, the ditch and berm control measure identified for this area was not compacted, did not have positive drainage to an outlet and was not cleared of sediment. Additional inadequate control measures were implemented down gradient of the ditch and berm control measure (see paragraph 28(i)). Stormwater from this area of the Project flows south to the South Platte River.

q. The Inspector observed there were no control measures implemented to manage stormwater runoff from the disturbed area along the southeast side of the Anschutz Equus Farm 4-62-15_22 NENE well pad. The disturbed area was located outside the perimeter control measures that were in place at the well pad. No additional control measures were implemented downgradient of this area. Stormwater from this area of the Project flows southwest to the South Platte River or southeast to an unnamed surface water.

r. The Inspector observed there were no control measures implemented to manage stormwater runoff from the disturbed area along the north side of the Anschutz Equus Farms 4-62-15_22 NWNE well pad, running parallel to the access road and well pad. The disturbed area was located outside the perimeter control measures that were in place at

the well pad. No additional control measures were implemented downgradient of this area. Stormwater from this area of the Project flows southwest to the South Platte River.

s. The Inspector observed there were no control measures implemented to manage stormwater runoff from the disturbed area along the north side of the Anschutz Equus Farm 4-62-15_22 NENW well pad, running parallel to the access road and well pad. The disturbed area was located outside the perimeter control measures that were in place at the well pad. No additional control measures were implemented downgradient of this area. Stormwater from this area of the Project flows south and southwest to the South Platte River.

t. The Inspector observed there were no control measures implemented to manage stormwater runoff from the disturbed area along the north side of the Anschutz Equus Farms NE 4-62-16 well pad, running parallel to the access road and well pad. The disturbed area was located outside the perimeter control measures that were in place at the well pad. No additional control measures were implemented downgradient of this area. Stormwater from this area of the Project flows south to the South Platte River.

u. The Inspector observed inadequate control measures implemented to manage pollutant contributions to stormwater from construction material waste at the Anschutz Equus Farms 4-62-15_22 NWNE well pad. The SWMP required that construction material waste be stored in enclosed dumpsters or trash receptacles. However, the dumpsters located at the well pad were not enclosed. Additional inadequate control measures were implemented down gradient of the dumpsters (see paragraphs 28(e) and 28(k)). Stormwater from this area of the Project flows southwest to the South Platte River.

v. The Inspector observed inadequate control measures implemented to manage pollutant contributions to stormwater from construction material waste at the Anschutz Equus Farm 4-62-15_22 NENW well pad. The SWMP required that construction material waste be stored in enclosed dumpsters or trash receptacles. However, the dumpster located at the well pad was not enclosed. Additional inadequate control measures were implemented down gradient of the dumpster (see paragraphs 28(f) and 28(l)). Stormwater from this area of the Project flows south and southwest to the South Platte River.

w. The Inspector observed inadequate control measures implemented to manage pollutant contributions to stormwater from construction material waste at the Anschutz Equus Farms NE 4-62-16 well pad. The SWMP required that construction material waste be stored in enclosed dumpsters or trash receptacles and dumpsters be routinely emptied. However, the dumpster located at the well pad was not enclosed and was exceeding capacity, and construction waste material was observed being blown around the well pad. Additional inadequate control measures were implemented down gradient of the dumpster (see paragraphs 28(g) and 28(m)). Stormwater from this area of the Project flows south to the South Platte River.

x. The Inspector observed inadequate control measures implemented to manage pollutant contributions to stormwater from construction material waste at the Anschutz State 5-62-35_36 NWNW well pad. The SWMP required that construction material waste be stored in enclosed dumpsters or trash receptacles. However, the dumpster located at the well pad was not enclosed. Additional inadequate control measures were implemented down gradient of the dumpster (see paragraph 28(o)). Stormwater from this area of the Project flows south and southeast to the South Platte River and the Riverside Reservoir.

y. The Inspector observed there were no control measures implemented to manage stormwater runoff from the drill cuttings located at the Anschutz Equus Farms 4-62-15_22 NWNE well pad. The SWMP required that drill cuttings stored or staged onsite be kept within lined containers. However, drill cuttings were stored or staged directly on the ground instead of within lined containers. Additional inadequate control measures were implemented down gradient of the dumpsters (see paragraphs 28(e) and 28(k)). Stormwater from this area of the Project flows southwest to the South Platte River.

z. The Inspector observed there were no control measures implemented to manage stormwater runoff from the drill cuttings located at the Anschutz State 5-62-35_36 NWNW well pad. The SWMP required that drill cuttings stored or staged onsite be kept within lined containers. However, drill cuttings were stored or staged directly on the ground instead of within lined containers. Additional inadequate control measures were implemented down gradient of the dumpsters (see paragraph 28(o)). Stormwater from this area of the Project flows south and southeast to the South Platte River and the Riverside Reservoir.

aa. The Inspector observed there were no control measures implemented to manage stormwater runoff from the drill cuttings located at the Anschutz State 5-62-26_25 SWNW well pad. The SWMP required that drill cuttings stored or staged onsite be kept within lined containers. However, drill cuttings were stored or staged directly on the ground instead of within lined containers. Additional inadequate control measures were implemented down gradient of the dumpsters (see paragraphs 28(i) and 28(p)). Stormwater from this area of the Project flows south to the South Platte River.

bb. The Inspector observed a surface roughening control measure inadequately implemented at the Anschutz Equus Farms 4-62-15_22 NWNE well pad. The SWMP specified that surface roughening control measure be two (2) to four (4) inches deep running parallel to the contour. However, the surface roughening identified for this area was not two (2) to four (4) inches deep running parallel to the contour. No additional control measures were implemented downgradient of this area. Stormwater from this area of the Project flows southwest to the South Platte River.

cc. The Inspector observed a surface roughening control measure inadequately implemented at the Anschutz Equus Farm 4-62-15_22 NENW well pad. The SWMP specified that surface roughening control measures be two (2) to four (4) inches deep running parallel to the contour. However, the surface roughening identified for this area was not two (2) to four (4) inches deep running parallel to the contour. No additional control measures were implemented downgradient of this area. Stormwater from this area of the Project flows south and southwest to the South Platte River.

dd. The Inspector observed a surface roughening control measure inadequately implemented at the Anschutz State 5-62-35_36 NWNW well pad. The SWMP specified that surface roughening control measure be two (2) to four (4) inches deep running parallel to the contour. However, the surface roughening identified for this area was not two (2) to four (4) inches deep running parallel to the contour. Additional inadequate control measures were implemented down gradient of the dumpster (see paragraph 28(o)). Stormwater from this area of the Project flows south and southeast to the South Platte River and the Riverside Reservoir.

ee. The Inspector observed inadequate control measures implemented at the Anschutz Equus Farms 4-62-15_22 NWNE well pad to manage a spill. The SWMP specified that all spills must be promptly remediated and contaminated material hauled offsite for proper disposal.

However, the identified spill was not promptly remediated and the contaminated material was not hauled offsite for proper disposal. Additional inadequate control measures were implemented down gradient of the spill (see paragraphs 28(e) and 28(k)). Stormwater from this area of the Project flows southwest to the South Platte River.

ff. The Inspector observed inadequate control measures implemented at the Anschutz Equus Farm 4-62-15_22 NENW well pad to manage spills from varying materials. The SWMP specified that all spills must be promptly remediated and contaminated material hauled offsite for proper disposal. However, the identified spill was not promptly remediated and the contaminated material was not hauled offsite for proper disposal. Additional inadequate control measures were implemented down gradient of the spills (see paragraphs 28(f) and 28(l)). Stormwater from this area of the Project flows south and southwest to the South Platte River.

gg. The Inspector observed inadequate control measures implemented at the Anschutz Equus Farms NE 4-62-16 well pad to manage a spill. The SWMP specified that all spills must be promptly remediated and contaminated material hauled offsite for proper disposal. However, the identified spill was not promptly remediated and the contaminated material was not hauled offsite for proper disposal. Additional inadequate control measures were implemented down gradient of the spill (see paragraphs 28(g) and 28(m)). Stormwater from this area of the Project flows south to the South Platte River.

hh. The Inspector observed inadequate control measures implemented at the Anschutz Equus Farms North 4-62-9 well pad to manage spills from varying materials. The SWMP specified that all spills must be promptly remediated and contaminated material hauled offsite for proper disposal. However, the identified spill was not promptly remediated and the contaminated material was not hauled offsite for proper disposal. Additional inadequate control measures were implemented down gradient of the spills (see paragraphs 28(h) and 28(n)). Stormwater from this area of the Project flows north and northwest to the Riverside Reservoir.

ii. The Inspector observed there was no vehicle tracking control measure implemented at the egress to the Anschutz Equus Farms North 4-62-9 well pad. The SWMP site map identified a cattle guard to manage contributions to stormwater from sediment from disturbed areas at the well pad. However, the identified control measure was not installed. No additional control measures were implemented downgradient of this area. Stormwater from this area of the Project flows north and northwest to the Riverside Reservoir.

jj. The Inspector observed there was no vehicle tracking control measure implemented at the egress to the Anschutz State 5-62-35_36 NWNW well pad. The SWMP site map identified a cattle guard to manage contributions to stormwater from sediment from disturbed areas at the well pad. However, the identified control measure was not installed. No additional control measures were implemented downgradient of this area. Stormwater from this area of the Project flows south and southeast to the South Platte River and the Riverside Reservoir.

kk. The Inspector observed inadequate control measures implemented at the Anschutz State 5-62-26_25 SWNW well pad to manage drilling materials. The SWMP specified that petroleum products and any other chemicals shall have secondary containment, and all spills must be promptly remediated and contaminated material hauled offsite for proper disposal. However, drilling fluids, completion fluids and significant materials were not stored within secondary containment and spills were not promptly remediated and the contaminated

materials were not hauled offsite for proper disposal. Additional inadequate control measures were implemented down gradient of the drilling materials (see paragraphs 28(i) and 28(p)). Stormwater from this area of the Project flows south to the South Platte River.

ll. The Inspector observed inadequate control measures implemented at the culverts near the access road to the Hawkins 5-61-21 well pad. The SWMP specified that culvert outlets extend at least one foot beyond the toe of the slope; rip rap or erosion control blanket be installed at the outlet; and sediment and/or debris be removed to prevent blockage. However, the culvert outlet was not extended at least one foot beyond the toe of the slope; rip rap or erosion control blanketing was not installed; and sediment and/or debris was not removed to prevent blockage. No additional control measures were implemented downgradient of the culvert. Stormwater from this area of the Project flows south to the Riverside Reservoir.

mm. The Inspector observed inadequate control measures implemented at the culverts near the access road to the Anschutz O'Brien 5-61-33 well pad. The SWMP specified that culvert outlets extend at least one foot beyond the toe of the slope; rip rap or erosion control blanket be installed at the outlet; and sediment and/or debris be removed to prevent blockage. However, the culvert outlet was not extended at least one foot beyond the toe of the slope; rip rap or erosion control blanketing was not installed; and sediment and/or debris was not removed to prevent blockage. No additional control measures were implemented downgradient of the culvert. Stormwater from this area of the Project flows south to the South Platte River.

nn. The Inspector observed a berm perimeter control measure inadequately implemented at the Kunsemiller 5-61-21 well pad. The SWMP specified that berm control measures be compacted or stabilized with vegetation and have positive drainage to an outlet. However, the berm identified for this area was not compacted or stabilized with vegetation and did not have positive drainage to an outlet. No additional control measures were implemented downgradient of this area. Stormwater from this area of the Project flows south to the South Platte River.

oo. The Inspector observed a berm perimeter control measure inadequately implemented at the Hawkins 5-61-21 well pad. The SWMP specified that berm control measures be compacted or stabilized with vegetation and have positive drainage to an outlet. However, the berm identified for this area was not compacted or stabilized with vegetation and did not have positive drainage to an outlet. No additional control measures were implemented downgradient of this area. Stormwater from this area of the Project flows south to the Riverside Reservoir.

pp. The Inspector observed a berm perimeter control measure inadequately implemented at the Anschutz O'Brien 5-61-33 well pad. The SWMP specified that berm control measures be compacted or stabilized with vegetation and have positive drainage to an outlet. However, the berm identified for this area was not compacted or stabilized with vegetation and did not have positive drainage to an outlet. No additional control measures were implemented downgradient of this area. Stormwater from this area of the Project flows south to the South Platte River.

29. The Division has determined that Bill Barrett Corp failed to implement and/or maintain functional BMPs for all potential pollutant sources at the Project, following good engineering, hydrologic, and pollution control practices.

30. Bill Barrett Corp's failure to implement and/or maintain functional BMPs to protect stormwater quality during construction activities at the Project constitutes violations of Part I.C.3.c., Part I.D.2., and Part I.B.3. of the Permit.

NOTICE OF VIOLATION

31. Based on the foregoing Findings of Fact and Conclusions of Law, you are hereby notified that the Division has determined that Bill Barrett Corp has violated the following sections of the Permit:

Part I.B. of the Permit, which states in part, "The SWMP shall be prepared in accordance with good engineering, hydrologic and pollution control practices. ... The SWMP shall: a) Identify all potential sources of pollution which may reasonably be expected to affect the quality of stormwater discharges associated with construction activity from the facility; b) Describe the practices to be used to reduce the pollutants in stormwater discharges associated with construction activity at the facility; and ensure the practices are selected and described in accordance with good engineering practices, including the installation, implementation and maintenance requirements; and c) Be properly prepared and updated in accordance with Part I.D.5.c., to ensure compliance with the terms and conditions of this permit."

Part I.C. of the Permit, which states in part, "The SWMP shall include the following items, at a minimum."

Part I.D.6.a. of the Permit, which states in part, "The permittee shall, at a minimum, make a thorough inspection, in accordance with the requirements in I.D.6.b. below, at least once every 14 calendar days ... For sites or portions of sites that meet the following criteria, but final stabilization has not been achieved due to vegetation cover that has not besome established, the permittee shall make a thorough inspection of their stormwater management system at least once every month."

Pursuant to Part I.D.6.b.2. of the Permit, "After adequate corrective actions(s) has been taken, ... the report shall contain a signed statement indicating the site is in compliance with the permit to the best of the signer's knowledge and belief."

Part I.D.6.c. of the Permit, which states in part, "Where site inspections note the need for BMP maintenance activities, BMPs must be maintained in accordance with the SWMP and Part I.D.7. of the permit. Repair, replacement, or installation of new BMPs determined necessary during the site instpection to address ineffective or inadequate BMPs must be conducted in accordance with Part. I.D.8. of the permit."

Part I.D.8. of the Permit, which states in part, "Where BMPs have failed, resulting in noncompliance with Part I.D.2., they must be addressed as soon as possible, immediately in most cases, to minimize discharge of pollutants."

Part I.C.3.c. of the Permit, which outlines in part that BMPs for Stormwater Pollution Prevention shall address erosion and sediment control, including "structural practices implemented at the site to minimize erosion and sediment transport" and "non-structural practices implemented at the site to minimize erosion and sediment transport," as well as phased BMP implementation, materials handling and spill prevention, dedicated concrete or asphalt batch plants, vehicle tracking control, waste management and disposal, including concrete washout, and groundwater and stormwater dewatering.

Part I.D.2. of the Permit, which states, "Facilities must select, install, implement, and maintain appropriate BMPs, following good engineering, hydrologic and pollution control practices. BMPs implemented at the site must be adequately designed to provide control for all potential pollutant sources associated with construction activity to prevent pollution or degradation of State waters."

Part I.B.3. of the Permit, which states in part, "Facilities must implement the provisions of the SWMP as written and updated, form commencement of construction activity until final stabilization is complete, as a condition of this permit."

REQUIRED CORRECTIVE ACTION

Based upon the foregoing factual and legal determinations and pursuant to §25-8-602 and §25-8-605, C.R.S., Bill Barrett Corp is hereby ordered to:

32. Cease and desist from all violations of the Colorado Water Quality Control Act, §§25-8-101 through 25-8-803, C.R.S., its implementing regulations promulgated thereto and the Permit.

Furthermore, the Division hereby orders Bill Barrett Corp to comply with the following specific terms and conditions of this Order:

33. Bill Barrett Corp shall immediately evaluate the Project's SWMP and implement necessary measures to ensure the SWMP contains all of the elements required by the Permit and is effective in managing pollutant discharges from the Project. Within thirty (30) calendar days of receipt of this Order, Bill Barrett Corp shall submit a written certification to the Division stating that a complete, effective, and up-to-date SWMP has been fully developed and implemented at the Project.

34. Bill Barrett Corp shall immediately begin conducting and documenting inspections of the Project's stormwater management system pursuant to the provisions outlined in the Permit. Within thirty (30) calendar days of receipt of this Order, Bill Barrett Corp shall submit a written certification to the Division stating that all such inspections are being conducted and documented in accordance with the terms and conditions of the Permit.

35. Bill Barrett Corp shall immediately implement necessary measures to ensure that adequate BMPs are in place to control pollutant discharges from the Project. This includes ensuring that all disturbed areas at the Project are stabilized and/or protected with a system/series of erosion and sediment control practices, and that all BMPs at the site are selected, installed, implemented, and maintained following good engineering, hydrologic, and pollution control practices. Within thirty (30) calendar days of receipt of this Order, Bill Barrett Corp shall evaluate and modify all existing BMPs at the Project to ensure the BMPs meet the design requirements specified in the Project's complete and up-to-date SWMP. Within forty-five (45) calendar days of receipt of this Order, Bill Barrett Corp shall submit photographs to the Division documenting the current conditions at the site and the associated BMPs implemented at the Project.

NOTICES AND SUBMITTALS

For all documents, plans, records, reports and replies required to be submitted by this Notice of Violation/Cease and Desist Order, Bill Barrett Corp shall submit an original and an electronic copy to the Division at the following address:

Colorado Department of Public Health and Environment
Water Quality Control Division / WQCD-CWE-B2
Attention: Eric Mink
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530
Telephone: (303) 692-2312
Email: eric.mink@state.co.us

For any person submitting documents, plans, records and reports pursuant to this Notice of Violation / Cease and Desist Order, that person shall make the following certification with each submittal:

> "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

OBLIGATION TO ANSWER AND REQUEST FOR HEARING

Pursuant to §25-8-603, C.R.S. and 5 CCR 1002, §21.11 you are required to submit to the Division an answer affirming or denying each paragraph of the Findings of Fact and responding to the Notice of Violation. The answer shall be filed no later than thirty (30) calendar days after receipt of this action.

Section 25-8-603, C.R.S. and 5 CCR 1002, §21.11 also provide that the recipient of a Notice of Violation may request the Division to conduct a public hearing to determine the validity of the Notice, including the Findings of Fact. Such request shall be filed in writing with the Division and include the information specified in 5 CCR 1002, §21.4(B)(2). Absent a request for hearing, the validity of the factual allegations and the Notice of Violation shall be deemed established in any subsequent Department proceeding. The request for hearing, if any, shall be filed no later than thirty (30) calendar days after issuance of this action. The filing of an answer does not constitute a request for hearing.

FALSIFICATION AND TAMPERING

Be advised, in accord with §25-8-610, C.R.S., that any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the Colorado Water Quality Control Act or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this article is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than ten thousand dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.

POTENTIAL CIVIL AND CRIMINAL PENALTIES

You are also advised that any person who violates any provision of the Colorado Water Quality Control Act (the "Act"), §§25-8-101 to 803, C.R.S., or of any permit issued under the Act, or any control regulation promulgated pursuant to the Act, or any final cease and desist order or clean-up order issued by the Division shall be subject to a civil penalty of not more than ten thousand dollars per day for each day during which such violation occurs. Further, any person who recklessly, knowingly, intentionally, or with criminal negligence discharges any pollutant into any state waters commits criminal pollution if such discharge is made without a permit, if a permit is required by the Act for such discharge, or if such discharge is made in violation of any permit issued under the Act or in violation of any Cease and Desist Order or Clean-up Order issued by the Division. By virtue of issuing this Notice of Violation / Cease and Desist Order, the State has not waived its right to bring an action for penalties under §§25-8-608 and 609, C.R.S, and may bring such action in the future.

RELEASE OR DISCHARGE NOTIFICATION

Pursuant to §25-8-601, C.R.S., you are further advised that any person engaged in any operation or activity which results in a spill or discharge of oil or other substance which may cause pollution of the waters of the state, shall notify the Division of the discharge. If said person fails to so notify, said person is guilty of a misdemeanor, and may be fined or imprisoned or both.

EFFECT OF ORDER

Nothing herein contained, particularly those portions requiring certain acts to be performed within a certain time, shall be construed as a permit or license, either to violate any provisions of the public health laws and regulations promulgated thereunder, or to make any discharge into state waters. Nothing herein contained shall be construed to preclude other individuals, cities, towns, counties, or duly constituted political subdivisions of the state from the exercise of their respective rights to suppress nuisances or to preclude any other lawful actions by such entities or the State.

For further clarification of your rights and obligations under this Notice of Violation/Cease and Desist Order you are advised to consult the Colorado Water Quality Control Act, §§25-8-101 to 803, C.R.S., and regulations promulgated thereunder, 5 CCR 1002.

Issued at Denver, Colorado, this 19th day of June, 2015.

FOR THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

Patrick J. Pfaltzgraff, Director
WATER QUALITY CONTROL DIVISION